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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MICHAEL INGLIS and SANTA CRUZ  
POWER SPORTS, INC.

Plaintiffs,

vs.

JOHN MAYNARD, *in personam* and M/V  
PICOSO, Official Number 1049069, Hull  
Number CHX35X78G697, a 1997, 34.4  
foot long Cabo Yachts motor vessel, her  
engines, tackle, furniture, apparel, etc., *in  
rem*, and DOES 1-20,

Defendants.

Case # **OCCV 2387 LAB CAB**  
**[PROPOSED] ORDER FOR ARREST  
OF VESSEL UNDER RULE D OF  
SUPPLEMENTAL ADMIRALTY  
RULES**

1 Plaintiffs, MICHAEL INGLIS and SANTA CRUZ POWER SPORTS, INC.  
2 ("Plaintiffs"), have applied for an order authorizing the issuance of a warrant for the  
3 arrest of the vessel M/V PICOSO, Official Number 1049069, Hull Number  
4 CHX35X78G697, a 1997, 34.4 foot long Cabo Yachts motor vessel, and her  
5 engines, masts, anchors, cables, chains, rigging, tackle, apparel, furniture and all  
6 appurtenances and necessaries thereto appertaining (the "Vessel"), the defendant  
7 vessel in this action.

8  
9 Upon reviewing Plaintiffs' Verified Complaint and supporting papers in  
10 accordance with the Supplemental Rules for Admiralty Rule D and C (3), Federal  
11 Rules of Civil Procedure, the Court finds that the conditions for an action *in rem*  
12 appear to exist, and; therefore,

13  
14 IT IS HEREBY ORDERED that the Clerk of this Court is authorized to and shall  
15 issue a Warrant of Arrest of the Vessel;

16  
17 IT IS HEREBY FURTHER ORDERED that the Marshal of this District is authorized to  
18 and shall serve the warrant of arrest on the Vessel, take her into custody in this District, and  
19 keep her in custody until further order of the Court or upon express authorization from  
20 Plaintiff's attorney in accordance with the Supplemental Rules for Admiralty Rule E, Federal  
21 Rules of Civil Procedure;

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24 //

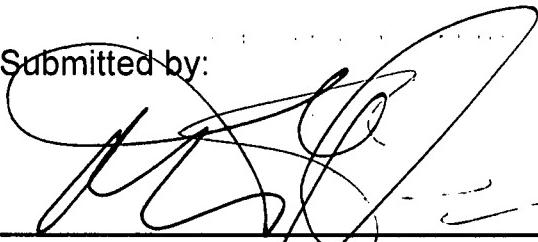
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1 IT IS HEREBY FURTHER ORDERED that any person holding an interest in the vessel  
2 arrested hereunder shall, upon application to the Court, be entitled to a prompt hearing  
3 upon not less than three (3) days notice to Plaintiff, at which time Plaintiff shall be required  
4 to show why the arrest should not be vacated or other relief granted; and

5 IT IS HEREBY FURTHER ORDERED that a copy of this Order shall be attached  
6 to and served with the Warrant of Arrest.

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9  
10 Dated: 10/30/06

11  
12   
13 UNITED STATES DISTRICT JUDGE  
14 CATHY ANN BENCIVENGO  
15 U.S. MAGISTRATE JUDGE

16  
17 Submitted by:  
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20 Mark D. Holmes  
21 McKasson, Klein & Holmes LLP  
22 Attorneys for Plaintiffs  
23 MICHAEL INGLIS and SANTA CRUZ POWER  
24 SPORTS, INC.  
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